

# DECLARATION and POWER OF ATTORNEY

☒ ORIGINAL  
☐ CONTINUATION  
☐ DIVISIONAL

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor (if only one name is listed as 1 below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:  
**INTERBODY SPINAL FUSION IMPLANT HAVING AN ANATOMICALLY CONFORMED TRAILING END.**

the specification of which is attached hereto unless the following box is checked:  
☐ was filed on \_\_\_\_\_ as United States Application Number or PCT International Application Number \_\_\_\_\_  
 and was amended on \_\_\_\_\_

My residence, post office address and citizenship are as stated below next to my name.  
 I acknowledge my duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a).  
 I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.  
 I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

## PRIOR FOREIGN APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING Month Day Year	PRIORITY CLAIMED UNDER 35 U.S.C. 119
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Serial No.) (Filing Date) (Status)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or Agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

STUART LUBITZ, Reg. No. 20,680; LOUIS A. MOK, Reg. No. 22,585; JOHN P. SCHERLACHER, Reg. No. 23,009; MICHAEL J. RAM, Reg. No. 26,379; LEWIS ANTEN, Reg. No. 26,604; HIDEO KODA, Reg. No. 27,729; JoANNE S. REDMANN, Reg. No. 31,482; SONG K. JUNG, Reg. No. 35,210; WILLIAM H. WRIGHT, Reg. No. 36,312; AMEDEO FERRARO, Reg. No. 37,129; LEE J. MANDELL, Reg. No. 37,176; JONATHAN Y. KANG, Reg. No. 38,199; DAVID L. LUBITZ, Reg. No. 38,229; WEI-NING YANG, Reg. No. 38,690; KARLTON BUTTS, Reg. No. 39,126; BONITA L. SEVERY, Reg. No. P-43,913


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(Please Print)

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2	Name of Inventor	Residence: CITY	STATE or COUNTRY
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3	Name of Inventor	Residence: CITY	STATE or COUNTRY
	Post Office Address	CITIZENSHIP	
4	Name of Inventor	Residence: CITY	STATE or COUNTRY
	Post Office Address	CITIZENSHIP	

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1 	SIGNATURE OF INVENTOR 2
DATE March 5, 1999	DATE
SIGNATURE OF INVENTOR 3	SIGNATURE OF INVENTOR 4
DATE	DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Gary K. Michelson	)	
	)	
Serial No.: 09/263,266	)	Group Art Unit: 3738
	)	
Filed: March 5, 1999	)	Examiner: D. Willse
	)	
For: IMPLANT WITH ANATOMICALLY	)	
CONFORMED TRAILING END	)	

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**REVOCATION OF ORIGINAL POWER OF ATTORNEY  
AND GRANT OF NEW POWER OF ATTORNEY**

Applicant Gary K. Michelson hereby revokes the previous Power of Attorney in the above action to Stuart Lubitz, Reg. No. 20,680; Louis A. Mok, Reg. No. 22,585; John P. Scherlacher, Reg. No. 23,009; Michael J. Ram, Reg. No. 26,379; Lewis Anten, Reg. No. 26,604; Hideo Koda, Reg. No. 27,729; Joanne S. Redmann, Reg. No. 31,482; Song K. Jung, Reg. No. 35,210; William H. Wright, Reg. No. 36,312; Lee J. Mandell, Reg. No. 37,176; Jonathan Y. Kang, Reg. No. 38,199; David L. Lubitz, Reg. No. 38,229; Wei-Ning Yang, Reg. No. 38,690; Karlton Butts, Reg. No. 39,126; and Bonita L. Severy, Reg. No. P-43,913

and hereby grants his power of attorney to **MARTIN & FERRARO, LLP**, Thomas H. Martin, Reg. No. 34,383; Amedeo F. Ferraro, Reg. No. 37,129; and Todd M. Martin, Reg. No. 42,844; both jointly and separately as his attorneys with full power of substitution and revocation to prosecute this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and to transact all business in the Patent and Trademark Office connected therewith, and to receive the Letters Patent.

Please send all future correspondence concerning this application to Martin & Ferraro, LLP at the following address:

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**22882**

PATENT TRADEMARK OFFICE

Date: August 4, 2000

A handwritten signature in dark ink, appearing to read "Gary K. Michelson", written over a horizontal line.

Gary K. Michelson